

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, February 10, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	James D. Ruth
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Assistant

INVOCATION: Supervisor Norby, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS (None)

II. CONSENT CALENDAR (Items 1-21)

13245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 7, 11 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

COMMENDATIONS/PROCLAMATIONS

1. **Chairman Wilson** - Adopt resolution proclaiming February 24, 2004 as "Spay Day" and congratulating Health Care Agency, Animal Care Services for their outstanding work ensuring Orange County's animals are spayed and neutered
RESO: 04-029

HEALTH CARE AGENCY

2. Approve amended agreement 023-APR-02 with Orange County Children and Families Commission for Nurse-Family Partnership Program, 11/1/02 - 3/31/04 (\$50,400; new total \$171,350) - All Districts
 3. Approve amended price agreement N2000004838 with Franklin B. Grossman, M.D. for Radiological
- MINUTES - BOARD OF SUPERVISORS' MEETING, TUESDAY, FEBRUARY 10, 2004 - PAGE 1

S U M M A R Y A C T I O N M I N U T E S

and Tuberculosis Consultation services, 3/1/04 - 10/18/04 (\$40,300; new total \$100,300); renewable for one additional year (\$122,000) - All Districts

4. Authorize submission of grant application to State Department of Health Services, Childhood Lead Poisoning Prevention Branch for Lead Hazard Reduction Compliance and Enforcement Program, FY 2004-05 and 2005-06 (\$144,370 per year) - All Districts
5. Approve lease with RREEF America REIT II Portfolio, L.P. for storage of trailers and supplies to be dispensed to various response sites in event of disaster or bioterrorism emergency, Anaheim; and make California Environmental Quality Act findings - District 4

HOUSING AND COMMUNITY SERVICES DEPARTMENT

6. Approve amended agreement KC25270 with Brea for Phase 2 senior center improvements, 7/1/03 - 6/30/04 (250,000; new total \$451,000); and make California Environmental Quality Act and National Environmental Policy Act findings - District 3

JOHN WAYNE AIRPORT

7. Approve purchase order PC 280 P400004657 with Keith Consolidated Industries, Incorporated for purchase of four passenger loading ramps (\$106,349.25); and make California Environmental Quality Act findings - District 2

23145 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

8. Approve Tract 16384, Standard Pacific Corporation, Ladera Ranch area; accept easement for emergency and public vehicular ingress and egress; approve construction agreement S1204-0149 and accept bonds guaranteeing construction of improvements - District 5
9. Approve Tract 16385, Standard Pacific Corporation and DMB Ladera, LLC, Ladera Ranch area; accept easement for emergency and public vehicular ingress and egress; approve construction agreement S1204-0150 and accept bonds guaranteeing constructions of improvements - District 5
10. Approve agreement D03-085 with MRF Geosystems Corporation for data migration services of Geographic Information Systems (\$96,880) - All Districts
11. **Acting as the Orange County Flood Control District** - Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 regarding sediment removal from San Diego Creek; set review to determine continuing need for emergency action on 2/24/04, 9:30 a.m., and every 14 days thereafter - Districts 1, 2 and 3 (4/5 vote) (Continued from 12/16/03, Item 64; 1/6/04, Item 5; 1/13/04, Item 25; 1/27/04, Item 31)

32145 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

PUBLIC PROTECTION

Probation:

- 12. Approve price agreement N1000005631 with GBS Cleaning Services, Inc. to provide janitorial maintenance services, Superior Court, Santa Ana, 3/1/04 - 2/28/05 (\$82,806); renewable for two additional years; and make California Environmental Quality Act findings - District 1
- 13. Approve Memorandum of Understanding #3 with Boys and Girls Club of Tustin for community reintegration services, Theo Lacy Juvenile Annex and Joint Forces Training Base, Los Alamitos, 2/11/04 - 12/31/04; and authorize Chief Probation Officer to extend agreement two additional years under certain conditions - Districts 2 & 3
- 14. Approve agreements with California Department of Corrections to enable Probation Department's participation in Parole Law Enforcement Automated Data System; authorize Chief Probation Officer or designee to execute related agreements under certain conditions - All Districts

GENERAL ADMINISTRATION

Clerk of the Board:

- 15. Approve the proposed amendment to the Conflict of Interest Code for the Clerk of the Board of Supervisors - All Districts
- 16. Approve cancellation of 3/2/04 and 11/2/04 regular meetings of the Board of Supervisors - All Districts
- 23145 **APPROVED AS RECOMMENDED**
- 17. **County Counsel** - Approve amended agreement with Fisher & Phillips for Professional Legal services - All Districts

County Executive Office:

- 18. Approve price agreement with Finite Matters Ltd. for PatternStream Software consulting services, 2/1/04 - 1/31/05 (\$10,000); renewable for two additional years - All Districts (Continued from 1/27/04, Item 37)
- 19. Approve amended price agreements N1000005351 (\$101,000; new total \$150,000) and N1000004468 (\$145,000; new total \$150,000) with Sapphire Technologies for candidate systems and enterprise data operations I.T. temporary help personnel, extending terms to 8/13/04 - All Districts
- 20. Receive and file Donated Space Report - All Districts
- 21. **Supervisor Campbell** - Adopt resolution supporting the appointment of Manuel Ramirez to California Transportation Commission
RESO: 04-030

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 22-S36D)

HEALTH CARE AGENCY

22. Approve agreement with Straight Talk Clinic, Inc., (Start House), 3/1/04 - 2/28/06 (\$390,540) and approve amended agreement with Straight Talk Clinic, Inc., (Gerry House West), 3/1/04 - 6/30/04 (\$91,950; new total \$357,799) for HIV Residential Alcohol and Drug Abuse services - All Districts
32145 **APPROVED AS RECOMMENDED**
23. Approve amended agreements with Laguna Shanti (\$15,508; new total \$287,781) and Public Law Center (\$3,085; new total \$105,301); and approve amendment 2 to agreement with A.S. Foundation/Orange County (\$53,407; new total \$1,717,516) for HIV services, 3/1/03 - 2/29/04 - All Districts
21345 **APPROVED AS RECOMMENDED**
24. Approve agreement 03-73078-000 with State Department of Mental Health for Conditional Release Program, 7/1/03 - 6/30/04 (\$927,045) - All Districts
13245 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

25. Approve amended agreement with JHTM and Associates for environmental planning, mitigation and financial planning for capacity enhancement projects (\$170,603; new total \$1,000,603) - District 2
23145 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Sheriff-Coroner:

26. Consider first reading of "An Ordinance of the Board of Supervisors of the County of Orange (County) Adding Article 25 to Title 5, Division 3, of the Codified Ordinances of the County of Orange, Regulating the Operation of Taxicabs and Taxicab Businesses in the Unincorporated Portion of Orange County as a Member of the Orange County Taxi Administration Program"; and set second reading and adoption for 2/24/04, 9:30 a.m. - All Districts
21345 **APPROVED AS RECOMMENDED**
27. Adopt resolution approving grant agreement with State Office of Emergency Services for Anti-Drug Abuse Enforcement Program for methamphetamine laboratory investigation team, 10/1/03 - 6/30/04 (\$895,416); and make required findings - All Districts
32145 **APPROVED AS RECOMMENDED**
RESO: 04-031

GENERAL ADMINISTRATION

County Executive Office:

28. Approve amended price agreement Y1000000480 with ASAP Software Express, Inc. for licensing Microsoft PC software (\$530,000; new total \$5,165,061) - All Districts
32145 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

- 29 . Approve recommended positions on introduced or amended legislation and consider other legislative subject matters
41235 **APPROVED AS RECOMMENDED**
- 30 . Approve FY 2003-04 Second Quarter Budget Report; amend master position control and related budget adjustments - All Districts (*RA #1 & #3 4/5 vote*)
13245 **APPROVED AS RECOMMENDED**
- 31 . Adopt resolution establishing 2004 Mortgage Credit Certificate Program; authorize CEO, Public Finance manager or designee to develop program rules and guidelines, execute agreements with participating cities and execute other related notices and documents; and make related findings - All Districts
B.O. **DELETED**
- 32 . Select Joseph M. D'Angelo or Minoo Momayez to receive option to lease and operate Manchester Cafe in Manchester Office Building, Lamoreaux Justice Center, Orange; and make California Environmental Quality Act findings - District 3 (*4/5 vote*)
32145 **SELECTED JOSEPH M. D'ANGELO**
- 33 . Select Government Financial Officers Association as primary and Maximus, Inc. as alternate consultants for Countywide Accounting and Payroll System replacement; and authorize negotiation of agreement for Board approval - All Districts
12345 **APPROVED AS RECOMMENDED**
- 34 . Approve recommendations from County Executive Officer and Chief of Employee Relations regarding adoption of terms and conditions of employment for certain represented employees, Orange County Managers Association - All Districts
43125 **APPROVED AS RECOMMENDED**
- 35 . Receive and file Prop 172 Report - All Districts
B.O. **CONTINUED TO 2/24/04, 9:30 A.M.**
- 36 . Approve in concept Conversion No. 9 and remarketing of variable rate bonds to fixed interest rate bonds; and designate a remarketing agent and select Conversion team, Assessment District 88-1 (Irvine Coast) - District 5
53124 **APPROVED AS RECOMMENDED**
- S36A. **Acting as the Orange County In-Home Supportive Services Public Authority** - Approve agreement as an amendment to 2003-04 Memorandum of Understanding with IHSS Public Authority and United Domestic Workers of America, NUHHCE, AFSCME, AFL-CIO - All Districts
32145 **APPROVED AS RECOMMENDED**
- S36B. **Supervisor Smith** - Request approval for placement of a ninth Medal of Honor pedestal & plaque at the Walk of Honor located on the Civic Center Plaza for Lance Corporal Kenneth Lee Worley, a Vietnam veteran
12345 **APPROVED AS RECOMMENDED**

S U M M A R Y A C T I O N M I N U T E S

S36C. **Chairman Wilson** - Adopt resolution congratulating and honoring Kenneth R. Smith for receiving the prestigious 2004 Engineer of the Year Award

53124 **APPROVED AS RECOMMENDED**

RESO: 04-032

S36D. **Supervisor Smith** - Direct County Executive Officer to work with Los Angeles County's Chief Administrative Officer to draft a joint letter from Los Angeles and Orange Counties Board of Supervisors requesting the State Legislature and Governor to address California unfunded mandate of hospital seismic requirements (SB1953) and further provide clarification on nurse-patient-staff ratios

DISCUSSED

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-CS-2)

County Counsel:

CS-1. Closed Session

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):

Number of Cases: Two Cases

B.O.

THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO FILE TWO ACTIONS. THE IDENTITY OF THE PARTIES AND OTHER PARTICULARS WILL BE DISCLOSED TO ANY PERSON UPON INQUIRY ONCE EACH ACTION IS FILED.

CS-2. Closed Session

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):

Name of Case: Cory Baima v. County of Orange, et al., USDC Case No. SACV 01-710 DOC (ANx)

B.O.

THE CLERK READ: BY UNANIMOUS VOTE, THE BOARD APPROVED A SETTLEMENT IN THE CASE OF CORY BAIMA V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Jeff Kirsch - Oral Re: State bonds should be offered at lower denominations

Charles Griffin - Oral Re: Support for prior speakers idea, need for income from El Toro airport, use of GPS by trains & planes

Larry Lavin - Oral Re: Retroactive enforcement of laws

Darrell Nolta - Oral Re: Against issuing bonds for redevelopment projects or deficits

S U M M A R Y A C T I O N M I N U T E S

BOARD COMMENTS:

Supervisor Norby - Oral Re: 1st Southwest analysis of San Joaquin and Foothill Eastern Toll Road merger

ADJOURNED: 12:12 P.M.

52134 **Adjourned in memory of John Gelff**

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order

Right Margin Notes

- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board